

Message Text

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44

ACTION OES-04

INFO OCT-01 AF-06 EUR-12 NEA-09 IO-10 ISO-00 AID-05 CEQ-01

CIAE-00 OFA-01 COME-00 DODE-00 EB-07 EPA-01 INR-07

L-02 NSF-01 NSC-05 NSAE-00 PM-03 SS-15 SP-02 FEAE-00

ACDA-05 AGR-05 CEA-01 CG-00 CIEP-01 DLOS-03 DOTE-00

ERDA-05 FMC-01 H-02 INT-05 JUSE-00 OMB-01 PA-01

PRS-01 USIA-06 /129 W

----- 106728

R 211638Z APR 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 8697

INFO AMEMBASSY ALGIERS

AMEMBASSY ATHENS

AMEMBASSY ROME

AMEMBASSY TRIPOLI

AMCONSUL NICE

AMEMBASSY RABAT

AMEMBASSY MADRID

AMEMBASSY TUNIS

AMEMBASSY ANKARA

AMEMBASSY BELGRADE

AMEMBASSY MOSCOW

AMEMBASSY LONDON

USMISSION GENEVA

USMISSION USUN

AMEMBASSY NAIROBI

AMEMBASSY VALLETTA

AMEMBASSY CAIRO

AMEMBASSY TEL AVIV

AMEMBASSY BEIRUT

AMEMBASSY DAMASCUS

AMEMBASSY NICOSIA

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NAIROBI PLEASE PASS USDEL UNEP/GC: MADRID PLEASE PASS
SCI/ATT CLEMENT

E.O. 11652 : N/A

TAGS: SENV, UNEP, PLOS, XF, XH, XG

SUBJECT: MEDITERRANEAN SEA POLLUTION CONTROL: GENEVA
MEETING OF LEGAL EXPERTS, APRIL 7-11, 1975

REF: PARIS 3714

SUMMARY: REPRESENTATIVES OF THIRTEEN COUNTRIES, THE UK AND U.S. AS OBSERVERS, AND FIVE INTERGOVERNMENTAL AGENCIES MET AT GENEVA APRIL 7-11 TO FURTHER THE DEVELOPMENT OF THE DRAFT FRAMEWORK CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT AGAINST POLLUTION IN THE MEDITERRANEAN, AND ITS ASSOCIATED PROTOCOLS ON DUMPING FROM SHIPS AND AIRCRAFT AND COOPERATION IN COMBATING POLLUTION BY OIL AND OTHER HARMFUL SUBSTANCES. AFTER FURTHER WORK BY UNEP STAFF, WITH FAO AND IMCO ASSISTANCE, THESE LEGAL INSTRUMENTS ARE PROPOSED TO BE READY FOR FINAL NEGOTIATION AT BARCELONA FEBRUARY 2-13, 1976. TWO POLITICAL ISSUES APPEARED AT GENEVA: THE EC MADE A STRONG PITCH TO BE PERMITTED TO BE A CONTRACTING PARTY TO THE CONVENTION AND THE PROTOCOLS; TUNISIA, ALGERIA AND MOROCCO APPARENTLY BOYCOTTED THE MEETING OVER SOME DISAGREEMENT ON THE COURSE OF THE DEVELOPMENT OF THE INSTRUMENTS. END SUMMARY.

2. THE UNEP GENEVA STAFF, WITH THE ASSISTANCE OF FAO AND IMCO, PRESENTED WORKING DOCUMENTS ON THE FRAMEWORK CONVENTION AND THE TWO PROTOCOLS WHICH WERE THOROUGHLY DISCUSSED. THE CHAIRMAN OF THE MEETING WAS MARCEL SURBIGUET, OF THE FRENCH FOREIGN MINISTRY, WHO HAD BEEN RAPPORTEUR OF THE LEGAL COMMITTEE AT THE BARCELONA MEETING IN FEBRUARY. THE GROUP OF EXPERTS LEFT THE UNEP STAFF WITH THE JOB OF REWRITING THE DRAFT INSTRUMENTS TAKING INTO ACCOUNT THE INSTRUCTIONS OF THE GROUP AND, IN MANY CASES, THE NEGOTIATED PHRASING AGREED TO AT THE MEETING. ALTHOUGH THERE ARE A NUMBER OF UNLIMITED OFFICIAL USE

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RESOLVED ISSUES, IT IS EXPECTED THAT THE BARCELONA II MEETING IN FEBRUARY 1976 WILL BE ABLE TO CONCLUDE NEGOTIATIONS ON THESE THREE DOCUMENTS.

3. THE REPRESENTATIVE OF THE EC MADE A STRONG PITCH THAT HIS ORGANIZATION BE PERMITTED TO BE A CONTRACTING PARTY IN THE CONVENTION AND ITS PROTOCOLS AS THAT ORGANIZATION HAD CERTAIN RESPONSIBILITIES IN THE POLLU-

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R 211638Z APR 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 8698

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TION FIELD THAT COULD NOT BE INDIVIDUALLY UNDERTAKEN BY MEMBER COUNTRIES OF THE COMMISSION. FRANCE FULLY SUPPORTED THIS APPROACH AND SPAIN OBJECTED. THE REPORT OF THE MEETING IS TO CONTAIN THE PROPOSAL AND NOTE THAT NO AGREEMENT WAS REACHED IN THE MATTER. THE EC IS A CONTRACTING PARTY TO THE PARIS CONVENTION ON LAND BASED SOURCES OF POLLUTION. IF THIS ARGUMENT IS CARRIED INTO OTHER FIELDS IT MAY BEAR MORE DIRECTLY ON US INTERESTS E.G.: THE LOS CONVENTION MAY BE A LIKELY NEXT TARGET.

4. THE MEETING PROCEEDED RELATIVELY SMOOTHLY WITH VERY FEW POLITICAL PROBLEMS. THE ABSENCE OF TUNISIA, ALGERIA AND MOROCCO WAS NOT AN ISSUE ALTHOUGH THE SPANISH DELEGATION INDICATED THAT THEY FELT THAT THERE WAS SOME DISAGREEMENT THAT THESE GOVERNMENTS HAD WITH THE DEVELOPMENT OF THE CONVENTION. NO FURTHER EXPLANATION WAS GIVEN ON THIS MATTER.

5. ON LOS ISSUES, IN ADDITION TO THE EC ARGUMENT TO BECOME A CONTRACTING PARTY, TURKEY CONTINUED ITS PRESSURE TO EXCLUDE THE STRAITS OF THE DARDENELS FROM THE DEFINITION OF THE MEDITERRANEAN SEA. IF THEY SUCCEED IN ELIMINATING THESE STRAITS FROM THE DEFINITION OF THE BLACK SEA THEY WILL BE A GOOD WAY TOWARD DEINTERNATIONALIZING THE STRAITS. THE DRAFT DOCUMENT FOR THE BARCELONA II MEETING WILL CONTAIN ALTERNATE LANGUAGE ON THE APPLICATION OF THE CONVENTION TO WARSHIPS; SOVERIGN IMMUNITY AND EXEMPTION. FRANCE IS STRONGLY FOR EXEMPTION AND A FEW OTHERS WANT THE TWO ALTERNATIVES RETAINED FOR DISCUSSION AT BARCELONA II.

6. VIEWS OF HOST GOVERNMENTS OF INFO ADDRESSEE POSTS WOULD BE WELCOME (ACTION WASHINGTON, INFO PARIS) PARTICULARLY IF CONTRARY TO APPARENT TRENDS FOR CONCLUDING THE CONVENTION AND THE TWO PROTOCOLS AT BARCELONA II E.G.: ISSUE IDENTIFIED IN PARA FOUR ABOVE. A BRIEF REPORT ON THIS SUBJECT AS IT IS DISCUSSED AT THE UNEP

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GC MEETING ALSO WOULD BE HELPFUL.

7. PAPERS FROM THE GENEVA MEETING ARE BEING POUCHED
TO DEPARTMENT OES/EN DONALD R. KING.
RUSH

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Message Attributes

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Copy: SINGLE
Draft Date: 21 APR 1975
Decaption Date: 01 JAN 1960
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Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Margaret P. Grafeld
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05 JUL 2006

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